



#4
BT

8-22-02

PATENT
0171-0826P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: FUKUOKA, Hirofumi et al. Conf.: 2798
Appl. No.: 10/082,315 Group: 1755
Filed: February 26, 2002 Examiner:
For: SILICON OXIDE POWDER AND MAKING METHOD

RECEIVED
AUG 08 2002
TC 1700

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 53(d) CPA APPLICATION
OR WITH A RULE 1.114 RCE APPLICATION)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

August 7, 2002

RECEIVED
AUG 21 2002

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

a. ☐ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ☒ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's and CPA's).
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53(d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☐ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
or
- b. ☒ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☒ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☒ No fee is required.

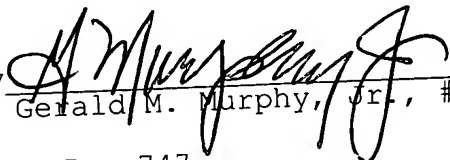
Appl. No. 10/082,315

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Gerald M. Murphy, Jr., #28,977

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

GMM/rem
0171-0826P

Enclosures:

- ☒ PTO-1449
- ☒ Documents
- ☒ Foreign Search Report
- ☐ Fee
- ☐ Other:

(Rev. 10/31/01)

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

ATTY DOCKET NO.
0171-0826P

APPLICATION NO.
10/082,315

APPLICANT
FUKUOKA, Hirofumi et al.

FILING DATE
August 7, 2002

GROUP	1755
-------	------

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO
	0 840 386 A	1998-05-06	EP				
	0 216 649 A	1987-04-01	EP				

OTHER DOCUMENTS

OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

DATABASE WPI, Section Ch, Week 200207 Derwent Publications Ltd., London, GB; Class
 L02, AN 2002-051162 XP002201123& JP 2001 226112 A (SHINETSU CHEM IND CO LTD), 21
 August 2001 (2001-08-21) *abstract*

August 2001 (2001-08-11) *abstract*

DATABASE WPI, Section Ch, Week 200163 Derwent Publications Ltd., London, GB; Class E36, AN 2001-560341 XP002201124 & JP 2001 158613 A (DENKI KAGAKU KOGYO KK), 12 June 2001 (2001-06-12) *abstract*

2001 (2001-04-27) *abstract*

PATENT ABSTRACTS OF JAPAN, Vol. 2000, No. 24, 11 May 2001 (2001-05-11) & JP 2001 185125 A (DENKI KAGAKU KOGYO KK), 6 July 2001 (2001-07-06) *abstract*

PATENT ABSTRACTS OF JAPAN, Vol. 2000, No. 24, 11 May 2001 (2001-05-11) & JP 2001 199716 A (DENKI KAGAKU KOGYO KK), 24 July 2001 (2001-07-24) *abstract*

DATABASE CA 'Online! CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; ECKERT, HANS J.
et al.: "Studies on silicon oxides" retrieved from STN database accession no.
86:46630 CA XP002201140 *abstracts* & WISS. Z., TECH. HOCHSCH., KARL-MARX STADT
(1976), 18(1), 103-12, 1976

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.